

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

: Hon. Claire C. Cecchi

v.

: Mag. No. 11-4022 (CCC)

DANIEL SPITLER and
ANDREW AUERNHEIMER

: ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Lee Vartan and Zach Intrater, Assistant U.S. Attorneys), and defendants Daniel Spitler (by Susan Cassell, Esq.) and Andrew Auernheimer (by Candace Home, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and one prior continuance order having been entered by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A), so that the parties could attempt to resolve the matter and thereby avoid a possible trial, and the defendants being aware that they have the right to have the matter submitted to a grand jury within thirty days of the date of their arrests pursuant to Title 18, United States Code, Section 3161(b), and the defendants having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendants desire additional time to negotiate a plea agreement, which would render any grand

jury proceedings and any subsequent trial of this matter unnecessary; and

(2) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, therefore, on this day of April, 2011.

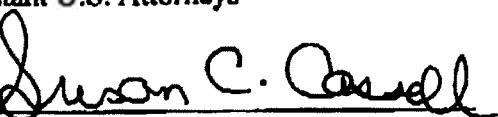
ORDERED that this action be, and it hereby is, continued for a period of 60 days from March 31, 2011; and it is further

ORDERED that the period from March 31, 2011 through May 30, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974.

HON. CLAIRE C. CECCHI
United States Magistrate Judge

Form and entry consented to:


Lee Vartan
Zach Intrater
Assistant U.S. Attorneys


Susan Cassell, Esq.
Counsel for defendant Spitzer

Candace Horn, Esq.
Counsel for defendant Auernheimer

jury proceedings and any subsequent trial of this matter unnecessary; and

(2) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, therefore, on this ^{March} 31 day of April, 2011.

ORDERED that this action be, and it hereby is, continued for a period of 60 days from March 31, 2011; and it is further

ORDERED that the period from March 31, 2011 through May 30, 2011 shall be excludable in computing time under the Speedy Trial Act of 1974.

Claire C. Cecchi
HON. CLAIRE C. CECCHI
United States Magistrate Judge

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Lee Vartan
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Susan Cassell, Esq.
Counsel for defendant Spitzer

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